

RULES OF THE
DISTRICT COURT OF THE
NINTH JUDICIAL DISTRICT
EFFECTIVE OCTOBER 27, 1995

SCOPE AND EFFECTIVE DATE

These rules for the district court of the Ninth Judicial District shall become effective upon approval by the Supreme Court and publication in the Nebraska Advance Sheets and shall supplement the Uniform District Court Rules of Practice and Procedure adopted by the Supreme Court.

Adopted effective October 27, 1995

RULE 9-1

TERM OF COURT

The regular term of the court shall be deemed to commence on January 1 of each calendar year, and shall be deemed to conclude on December 31 of the same calendar year. No order opening or closing such term shall be required.

Adopted effective October 27, 1995

RULE 9-2

CONTINUANCES

In addition to the requirements set forth in Neb. Rev. Stat. 25-1148 (Reissue 1989), a motion for continuance shall set forth whether the opposing party has any objection. The party filing the motion shall be responsible for arranging as soon as practical a new date and time with all opposing parties and the court.

Adopted effective October 27, 1995

RULE 9-3

JOURNAL ENTRIES

It shall be the duty of the party directed by the court to promptly prepare a proper journal entry, order, judgment, or decree. The proposed journal entry shall be mailed to the court and to the interested parties or attorneys within 7 days after entry of the decision or order.

Adopted effective October 27, 1995

RULE 9-4

DISSOLUTION ACTIONS

A. Property Statements. Where the action involves a division of property by the court, both parties shall file a single property statement setting forth assets, liabilities, and any other information concerning property germane to the case at bar. The party filing the action shall have 30 days from the date of filing same to prepare and file the property statement, furnishing a copy to the opposing party. The responding party shall then complete the property statement so filed by adding to it any additional property and that party's estimates of value of all property listed. The responding party's additions must be filed and a copy served upon the initiating party within 60 days after the filing of the initial statement.

Either party may receive an extension of time for filing or completing property statements on written motion and good cause shown. Except by agreement of the parties or order of the court, amendments to the property statement shall not be permitted unless filed at least 10 days prior to trial.

B. Temporary Allowances. No affidavit regarding temporary orders shall be considered by the court unless it has been served upon the opposing party not less than 24 hours prior to the temporary hearing date.

C. Contested Custody. If an issue concerning custody of a minor child exists, the court may appoint a guardian ad litem for the minor. In such event, the court will order an initial guardian ad litem's deposit on fees to be paid by the parties into the court within 20 days of the issuance of the order appointing the guardian ad litem and the setting of the initial fee deposit. Initial fees shall be allocated between the parties in the discretion of the court, subject to modification and the assessment of additional fees at the time of the final hearing. Those claiming indigent status may apply to the court for a waiver of such fee assessment. Such an application must be accompanied by an affidavit establishing poverty.

D. Final Hearings/Pretrial Conferences. Final hearings in all dissolution cases shall be set by the court for one hour unless notified in writing by either party that the matter will take more than one hour. If so notified that the trial will be in excess of one hour, the court shall set the matter for pretrial conference and notify the parties of the date and time.

Adopted effective October 27, 1995